

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

TENTATIVE

**ORDER NO. R9-2003-0038
ADMINISTRATIVE ASSESSMENT OF CIVIL LIABILITY
AGAINST THE
CITY OF SAN DIEGO
SAN DIEGO CONVENTION CENTER
DEWATERING DISCHARGE TO SAN DIEGO BAY
VIOLATION
OF
ORDER NOS. 95-25 AND 2000-90
GENERAL WASTE DISCHARGE REQUIREMENTS FOR TEMPORARY
GROUNDWATER EXTRACTION AND SIMILAR WASTE DISCHARGES TO
SAN DIEGO BAY AND STORM DRAINS OR OTHER CONVENANCY
SYSTEMS TRIBUTARY THERETO**

The San Diego Regional Water Quality Control Board (hereinafter Regional Board), having held a public hearing on February 5, 2003, to hear evidence and comments on the allegations contained in Complaint No. R9-2003-0014, dated January 6, 2003, and on the recommendation for administrative assessment of Civil Liability pursuant to California Water Code section 13385 in the amount of \$129,000 finds as follows:

1. The City of San Diego (hereinafter City) owns and operates the San Diego Convention Center located at 111 West Harbor Drive, San Diego, California. Pursuant to Order No. 2000-90, the San Diego Convention Center is authorized to discharge up to 1.5 million gallons per day from a permanent groundwater dewatering operation to San Diego Bay.
2. Self-Monitoring Reports (SMRs) submitted by the City between January 2000 and August 2002 indicate forty-six sampling results in violation of effluent limitations contained in Order Nos. 95-25 and 2000-90. (Order No. 95-25 was superceded by Order No. 2000-90 on June 14, 2000.) These violations are summarized in Attachment No. 1, *Violation Summary for San Diego Convention Center Dewatering, January 2000 through August 2002*.
3. Consideration of information available to the Regional Board prior to the hearing supports assessment of civil liability pursuant to Water Code section 13385(h) and (i) in the amount of \$129,000 as detailed in Attachment No. 1.
4. The Regional Board incurred costs totaling \$3,600 which includes investigation, preparation of enforcement documents, and communication with the Discharger.

February 5, 2003

5. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.) in accordance with Section 15321, Chapter 3, Title 14, California Code of Regulations.

IT IS HEREBY ORDERED that pursuant to section 13385 of the California Water Code, civil liability is imposed on the City of San Diego in the amount of one hundred twenty nine thousand dollars (\$129,000).

I, John H. Robertus, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order imposing civil liability assessed by the California Regional Water Quality Control Board, San Diego Region, on February 5, 2003.

TENTATIVE

JOHN H. ROBERTUS
Executive Officer